

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

ATRAVION PRESTON,	:	Case No. 3:15-cv-459
	:	
Petitioner,	:	Judge Thomas M. Rose
	:	
- VS -	:	
	:	
THOMAS SCHWEITZER, Warden,	:	
Lebanon Correctional Institution,	:	
	:	
Respondent.	:	

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**ENTRY AND ORDER OVERRULING OBJECTIONS (DOC. 22), ADOPTING  
REPORT AND RECOMMENDATIONS (DOC. 21) AND DENYING MOTION  
FOR RECONSIDERATION (DOC. 18)**

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This case is before the Court on the Report and Recommendations (Doc. 21) on Petitioner Atravion Preston's Motion for Reconsideration to Comply with Fed. R. Civ. P. 72(b) ("Motion for Reconsideration") (Doc. 81). In the Report and Recommendations, Magistrate Judge Michael R. Merz found that Petitioner failed to show any error in the Court's decision (Doc. 12) dismissing this case and recommended that the Court therefore deny the Motion for Reconsideration.

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case. Upon said review, the Court finds that the Objections (Doc. 22) to the Report and Recommendations (Doc. 21) are not well-taken and are hereby **OVERRULED**. The Court **ADOPTS** the Report and Recommendations (Doc. 21) and **DENIES** the Motion for Reconsideration (Doc. 18).

**DONE** and **ORDERED** in Dayton, Ohio, this Wednesday, December 14, 2016.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE